

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

HARRY L HUNTER, JR.,)	
)	
Plaintiff,)	
)	
v.)	1:21-CV-695
)	
SHERIFF BOBBY F. KIMBROUGH,)	
JR., et. al.,)	
)	
Defendants.)	

ORDER

The defendants have moved to dismiss the plaintiff's complaint, and the United States Magistrate Judge filed a Recommendation suggesting that dismissal is not appropriate. Doc. 31. The Recommendation was served on the parties, and the defendants did not object and have answered the complaint. Doc. 33. Apparently misperceiving the Answer as objections, the plaintiff filed a paper writing he entitled 'Plaintiff's Answer to Defendants objections.' Doc. 34.

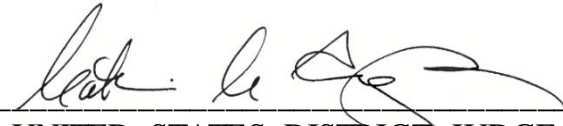
After consideration of the record, the Court hereby adopts the Magistrate Judge's Recommendation.

It is **ORDERED** that:

1. The motion to dismiss filed by the defendants Sheriff Bobby Kimbrough, Jr., Major Carleton, Captain Whitt, Captain B. Warren, Captain Chenault, and Sabrina Robinson, Doc. 27, is **DENIED** and the procedural due process claims against the defendants may proceed.

2. The defendants having filed an answer, the case is referred to the Magistrate Judge for entry of an appropriate initial pretrial order.

This the 21st day of February, 2023.



UNITED STATES DISTRICT JUDGE